

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

IN RE:

A PETITION OF SOLARCITY
CORPORATION FOR A DECLARATORY
RULING ON THE NEED TO OBTAIN A
SITING COUNCIL CERTIFICATE FOR THE
CONSTRUCTION AND OPERATION OF A
SOLAR PHOTOVOLTAIC ELECTRIC
GENERATING FACILITY OFF OLD FORGE
ROAD, ROCKY HILL, CONNECTICUT

PETITION NO. 1223

AUGUST 22, 2016

**RESPONSES OF SOLARCITY CORPORATION TO
CONNECTICUT DEPARTMENT OF ENERGY & ENVIRONMENTAL
PROTECTION, WILDLIFE DIVISION LETTER OF JULY 14, 2016**

On July 14, 2016, the Connecticut Department of Energy & Environmental Protection (“CTDEEP”), Wildlife Division, issued an opinion letter with recommendations to SolarCity Corporation (“SolarCity”), relating to development of the referenced project and potential effects on the big sand tiger beetle, a species of special concern. Three areas of concern were noted in the letter, requiring minor modifications to the site plan as proposed.

First, the CTDEEP recommended that SolarCity reconsider proposed seeding and maintenance activities as depicted on sheet G-1 of the Site Plans (dated 2/5/16). In addition to cordoning off early old field/unvegetated areas with orange construction fencing to protect this habitat, SolarCity will also adhere to the following recommendations for seeding within the ground mounted array area to promote adequate habitat conditions for both big sand tiger beetle and migratory birds.

- warm season grasses will be used in lieu of low wildlife value turf grasses
- no use of fertilizers or mulch/straw

- no reseeding of bare patches of soil after the site is constructed

Further, in keeping with CTDEEP recommendation to limiting potential impacts on the periphery of the site, SolarCity will, where feasible, institute the following modifications.

- minimize paving or gravelling access roads
- avoid stockpiling and/or redistributing soil early old field/unvegetated areas
- leave patches of early old field/unvegetated habitat fallow, wherever possible
- remove non-native invasive plant species such as autumn olive wherever possible

Finally, the CTDEEP indicated there is the potential to find eastern box turtles in the project area from April 1 through November 1. To minimize potential effects to this species during construction, if site work is conducted during the referenced time period, SolarCity will institute the following awareness and protective program.

- workers will be provided a description of the species and alerted to its possible presence in the project area;
- workers will be made aware that this turtle is a protected species in Connecticut and should never be taken off site;
- any turtles encountered during construction will be moved out of harm's way, just outside of the work area;
- if box turtles are discovered on-site, APT Environmental monitoring staff will report the turtle's presence including a photo, date and location to the appropriate CTDEEP contact;
- the immediate area around staged equipment (located in box turtle habitat) will be searched each day prior to work starting to ensure that turtles are not run over inadvertently; and

- work conducted during the early morning and evening hours will occur with special care not to harm basking or foraging individuals.

These recommendations will be incorporated into construction drawings and provided to the selected contractor.

July 14, 2016

Dean Gustafson
All-Points Technology Corporation
3 Saddlebrook Drive
Killingworth, CT 06419
dgustafson@allpointstech.com

Re: Rocky Hill Solar PV Project-Solar City big sand tiger beetle report
NDDB Review 201505939

Mr. Gustafson,

Thank you for providing additional materials for review pertaining to Solar City's proposed solar facility in Rocky Hill, Connecticut. As noted in the preliminary determination from DEEP the big sand tiger beetle (*Cicindela formosa generosa*), a species of Special Concern in Connecticut, occurs in the vicinity of the project.

The big sand tiger beetle occupies sand plain habitat with open patches of xeric (dry), loose shifting sands, away from water, that are sparsely vegetated and free of a decomposing organic layer. Much of the south-southwesterly sections of the municipally-owned open space have potential for supporting big sand tiger beetles in what is characterized as "early old field/unvegetated" habitats. We concur that the area slated for the solar array as depicted in the materials submitted for review, has less potential for supporting this state-listed species given its mature vegetated state, though the underlying soils may be conducive to the beetle if the vegetation were to be removed. We concur with cordoning off early old field/unvegetated habitat with orange construction fencing to protect the preferred habitats of the big sand tiger beetle.

To minimize potential negative impacts to this state-listed tiger beetle, we recommend reconsidering the seeding and maintenance plans found on sheet G-1 (dated 2/5/16).

Seeding within ground mounted array area:

- we recommend utilizing warm season grasses versus low wildlife value turf grasses;
- warm season grasses likely are the most suitable for the sandy soil conditions on-site and would not require the maintenance that turf grasses do (watering and cutting);
- warm season grasses would provide valuable seed sources for migratory birds and the structure of warm season grasses (bunch grasses) encourages bare patches of soil which may continue to offer some habitat for the big sand tiger beetle even after the site is developed;
- we do not recommend fertilizing or using mulch/straw as this would change the conditions of the soil by adding organics that would be detrimental to the big sand tiger beetle.

Maintenance:

- we recommend that bare patches not be reseeded since bare patches of soil may continue to offer some habitat for the big sand tiger beetle even after the site is developed.

Attachment 4:

Creation of a big sand tiger beetle poster is not a reasonable protection measure for this species and project. Most people are not going to pay attention for this animal given its small size. The biggest

conservation challenge for this species is loss of habitat not mortality associated with human trampling.

Moreover, there is potential to further limit potential impacts to this tiger beetle on the periphery of the site by considering the following modifications:

- minimize paving or gravelling of access roads (keep them dirt);
- do not stockpile or redistribute soil in south-southwesterly early old field/unvegetated habitats;
- wherever possible, leave patches of early old field/unvegetated habitat fallow;
- wherever possible, remove non-native invasive plant species such as autumn olive on-site.

There is potential to find eastern box turtles in this area from 1 April through 1 November. To minimize potential negative impacts to eastern box turtles during construction:

- workers should be provided a description of the species and alerted to its possible presence in the project area;
- workers should be made aware that this turtle is a protected species in Connecticut and should never be taken off site;
- any turtles encountered during construction should be moved out of harm's way, just outside of the work area;
- if box turtles are discovered on-site, APT Environmental monitoring staff should report the turtle's presence including a photo, date and location to laura.saucier@ct.gov or 860-424-3101;
- the immediate area around staged equipment (located in box turtle habitat) should be searched each day prior to work starting to ensure that turtles are not run over inadvertently;
- work conducted during the early morning and evening hours should occur with special care not to harm basking or foraging individuals.

Natural Diversity Database information includes all information regarding critical biological resources available to us at the time of the request. This information is a compilation of data collected over the years by the Department of Energy and Environmental Protection's Natural History Survey and cooperating units of DEEP, private conservation groups and the scientific community. This information is not necessarily the result of comprehensive or site-specific field investigations. Consultations with the Database should not be substituted for on-site surveys required for environmental assessments. Current research projects and new contributors continue to identify additional populations of species and locations of habitats of concern, as well as, enhance existing data. Such new information is incorporated into the Database as it becomes available.

This determination is valid for two years. Please submit an updated NDDB Request for Review if the scope of the project changes or if work has not been initiated by July 14, 2018.

If you have any additional questions, please feel free to contact me at Laura.Saucier@ct.gov , please reference the NDDB number in the subject line of this letter in any future correspondence.

Sincerely,



Laura Saucier
Wildlife Biologist